

Z-28-02
Administrative Reformation

WHEREAS, SUMMERVILLE DEVELOPMENT, INC. applied for the following:

To permit the reformation of Resolution No. Z-28-02 in order to correct a scrivener's error in the legal description.

From: SUBJECT PROPERTY: EXHIBIT "B": The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the north 902.55' and the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the street dedication, in Section 24, Township 56 South, Range 39 East. LESS that W/ly portion described as follows: Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning. EXHIBIT "C": The north $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the west 35' thereof. AND: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ less the east 175' of the north 75' and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 19, Township 56 South, Range 40 East. AND: The north $\frac{3}{4}$ of the west $\frac{1}{2}$ of the east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the south 65' thereof for road.

EXHIBIT "D":

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning.

To: SUBJECT PROPERTY: EXHIBIT "B": The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the north 902.55' and the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the street dedication, in Section 24, Township 56 South, Range 39 East. LESS that W/ly portion described as follows: Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run

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Summerville Develop, Inc. /F/K/A Robert Borek

N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning. AND The north ½ of the SW ¼ of the SW ¼ of the SW ¼ of Section 19, Township 56 South, Range 40 East, less the west 35' thereof. AND: The SW ¼ of the NW ¼ of the SW ¼ less the east 175' of the north 75' and the NW ¼ of the SW ¼ of the SW ¼ in Section 19, Township 56 South, Range 40 East. AND: The north ¾ of the west ½ of the east ½ of the SW ¼ of the SW ¼ of Section 19, Township 56 South, Range 40 East, less the south 65' thereof for road. AND

Commence at the Southeast corner of the NE ¼ of the SE ¼ and run N0°37'15"W along the east line of the SE ¼ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE ¼ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning.

WHEREAS, upon consideration having been given to the matter and to Section 33-310.01, the Director of the Department of Planning & Zoning makes the following findings:

1. That the administrative modification will allow the zoning action to accurately reflect the Board's intent.
2. That the administrative modification will comply with all the standards stated in Section 33-310.01.
3. That failure to approve this administrative modification will lead to an unjust result.

WHEREAS, the requested administrative modification to permit the reformation of Resolution No. Z-28-02 in order to correct the legal description was approved on December 19, 2002.

NOW THEREFORE BE IT RESOLVED, by the Director of the Department of Planning & Zoning that the requested reformation of Resolution No. CZAB15-22-04 be and the same is hereby approved.

BE IT FURTHER RESOLVED, that Resolution No. Z-28-02, as reformed, shall read as follows:

- (1) AU to PAD

REQUEST #1 ON EXHIBITS "B" & "C"

(2) AU to EU-1

REQUEST #2 ON EXHIBIT "D"

OR IN THE ALTERNATIVE TO REQUESTS #1 & #2, REQUESTS #3 & #4 & #5

(3) AU to PAD

REQUEST #3 ON EXHIBIT "C"

AND:

(4) AU to RU-1

REQUEST #4 ON EXHIBIT "B"

(5) AU to EU-1

REQUEST #5 ON EXHIBIT "D"

SUBJECT PROPERTY: EXHIBIT "B": The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the north 902.55' and the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the street dedication, in Section 24, Township 56 South, Range 39 East. LESS that W/ly portion described as follows: Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning. AND The north $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the west 35' thereof. AND: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ less the east 175' of the north 75' and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 19, Township 56 South, Range 40 East. AND: The north $\frac{3}{4}$ of the west $\frac{1}{2}$ of the east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the south 65' thereof for road. AND

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning.

LOCATION: North of S.W. 248 Street and both sides of S.W. 117 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 15 that the requested district boundary changes to PAD (Item #1) and EU-1 (Item #2) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, that the proffered Planned Area Development Agreement should be accepted, and that the request to withdraw the requested district boundary changes from AU to PAD (Item #3), AU to RU-1 (Item #4), and AU to EU-1 (Item #5) should be granted and said application was by Resolution No. **CZAB15-22-02**, and

WHEREAS, **JILL OSIT & CYNTHIA HERSH** appealed the decision of Community Zoning Appeals Board 15 to the Board of County Commissioners, and a public hearing of the Board of County Commissioners for the following:

- (1) AU to PAD

REQUEST #1 ON EXHIBITS "B" & "C"

- (2) AU to EU-1

REQUEST #2 ON EXHIBIT "D"

OR IN THE ALTERNATIVE TO REQUESTS #1 & #2, REQUESTS #3 & #4 & #5

- (3) AU to PAD

REQUEST #3 ON EXHIBIT "C"

AND:

- (4) AU to RU-1

REQUEST #4 ON EXHIBIT "B"

(5) AU to EU-1

REQUEST #5 ON EXHIBIT "D"

SUBJECT PROPERTY: EXHIBIT "B": The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the north 902.55' and the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the street dedication, in Section 24, Township 56 South, Range 39 East. LESS that W/ly portion described as follows: Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning. AND The north $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the west 35' thereof. AND: The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ less the east 175' of the north 75' and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 19, Township 56 South, Range 40 East. AND: The north $\frac{3}{4}$ of the west $\frac{1}{2}$ of the east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, less the south 65' thereof for road. AND

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and run N0°37'15"W along the east line of the SE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East for a distance of 422.88' to a point; thence run S88°18'35"W along a line being 902.55' from the north line of the SE $\frac{1}{4}$ of said Section 24, measured at right angle for a distance of 1,009.78' to the Point of beginning; thence continue S88°18'35"W for a distance of 330.26' to a point; thence run S0°42'47"E for a distance of 757.84' to a point; thence run N88°9'38"E for a distance of 330.52' to a point; thence run N0°43'53"W, for a distance of 756.98' to the Point of beginning.

LOCATION: North of S.W. 248 Street and both sides of S.W. 117 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and after reviewing the record and decision of Community Zoning Appeals Board 15 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified in the appeal were insufficient to merit a reversal of the ruling made by Community Zoning Appeals Board 15 in Resolution No CZAB15-22-02 and that the

appeal should be denied and the decision of Community Zoning Appeals Board 15 should be sustained, and

WHEREAS, a motion to deny the appeal and sustain the decision of Community Zoning Appeals Board 15 was offered by Commissioner Katy Sorenson, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	absent	Dorrian D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	aye
Joe A. Martinez	aye	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	aye

Chairperson Barbara M. Carey-Shuler aye


NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied and the decision of Community Zoning Appeals Board 15 is sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB15-22-02 shall remain in full force and effect.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of December, 2002.

No. 02-6-CZ15-1
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida
By 
Deputy Clerk

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-28-02 adopted by said Board of County Commissioners at its meeting held on the 19 day of December, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 3rd day of January, 2003.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

❑ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street
MIAMI, FLORIDA 33175
❑ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145
❑ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223
❑ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106
❑ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

September 17, 2004

Summerville Development, Inc.
c/o Leila Batties
SunTrust International Center
One SE Third Avenue, 28th Floor
Miami, Florida 33131-1714

Re: Hearing No. 02-6-CZ15-1
Location: North of S.W. 248 Street and both sides of
S.W. 117 Avenue, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is revised Resolution No. Z-28-02, in which the applicant(s) had applied for a reformation to correct an error in the legal description. The Director of the Department of Planning and Zoning has reviewed the application and has granted an administrative reformation to the property on October.

Please discard the original resolution and replace with the enclosed resolution, as the resolution has been written to reflect the above-mentioned reformation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Earl Jones'.

Earl Jones
Deputy Clerk

Enclosures